

\*† James T. Gilbert  
Mark A. Shepherd  
Robert L. Russell  
of Counsel

Jerry W. Gilbert  
Jason S. Wilson

212 North Second Street  
P.O. Box 1178  
Richmond, KY 40476  
859-623-3877

203 Main Street  
P.O. Box 1520  
Beattyville, KY 41311  
606-464-3000

\* BOARD CERTIFIED CIVIL TRIAL ATTORNEY  
† FELLOW, AMERICAN COLLEGE OF TRIAL ATTORNEYS  
NATIONAL BOARD OF TRIAL ADVOCACY

Charles R. Coy, 1926-2010  
Wm. Baxter Jennings, 1975-2004

March 13, 2012

The Honorable Julius Genachowski, Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

RE: LightSquared

Dear Chairman Genachowski:

As a practicing lawyer in Richmond, Kentucky, I have written to the FCC and to the NTIA in the past to support the efforts of LightSquared. Today I write again, and urge the FCC to help LightSquared in whatever manner it can to secure other bandwidth upon which to operate its proposed 4G network, and to inform the FCC of the good work done by LightSquared recently in Kentucky.


As you may have seen on the national news, portions of Eastern Kentucky were hit hard last week by tornadoes and severe thunder storms. Parts of the region, including the city of West Liberty, the county seat of Morgan County, were devastated. LightSquared provided satellite telephones and other equipment to the Kentucky officials responding to these emergencies, and this equipment was instrumental in allowing them to do their jobs in an orderly and efficient manner. The mountains of Kentucky are always difficult terrain, and natural disaster such as tornadoes, which can close roads and knock out normal telephone service, which these did, make it even harder. The equipment provided by LightSquared allowed the first responders not only to communicate with each other, but to communicate with state and Federal disaster relief workers as well.

As I have written to you in the past, in my 28 years of law practice, I have served in state government, including an appointment as Inspector General for the Commonwealth of Kentucky. Therefore, I understand the problems of operating a governmental agency in these times. I know, for example, that the FCC has a number of objectives for developing our economy through the best use of the airwaves. I know that it is deeply interested in providing universal cell phone and broadband service in rural areas of our country, such as the Eastern mountains of Kentucky. I also know that the FCC desires to foster competition in the marketplace, and to utilize all of our available spectrum, because with the increasing complexity of electronic devices, we simply can't afford to waste portions of our spectrum. LightSquared is the only private company I know of which is in a position to quickly meet each of these objectives without government money.

LightSquared will be entirely privately funded, and will use no government or taxpayer money whatsoever. I am also impressed by the fact that LightSquared plans to invest \$14 billion in infrastructure for the project. I am also impressed by the fact that it stepped up to the plate in helping Kentucky's emergency responders, as it has consistently done in the past. LightSquared has shown that it is a good corporate citizen, and has shown that it understands the needs of first responders in rural areas.

The fact is that rural areas of our state badly need LightSquared's service. Therefore, I urge the FCC to help LightSquared work out some type of arrangement where spectrum can be found elsewhere, so that rural Kentucky, including the regions so hard hit by tornadoes recently, are able to enjoy the benefits of good communications already enjoyed by most of our nation.

Thank you for the important work that you do, and thank you for allowing me to express my views on this issue, which I consider to be of vital importance to rural areas in Kentucky.

Sincerely,  
  
Robert L. Russell